

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

UNITED STATES OF AMERICA

v.

RUSSELL LUCIUS LAFFITTE,

Defendant.

Case No.: 9:22-cr-00658-RMG

**DEFENDANT’S CONSENT MOTION FOR AN EXTENSION OF TIME
TO OBJECT TO PRESENTENCE REPORT**

Defendant Russell Lucius Laffitte (“Mr. Laffitte”), by and through his undersigned counsel, respectfully requests an extension of 30-days’ time to file objections to the Draft Presentence Investigation Report (“Draft PSR”). The government, through Assistant United States Attorney Emily Limehouse, consents to this request. As such, undersigned counsel consents to the 30-day extension applying to both parties, should it be granted by the Court.

On March 27, 2023, undersigned counsel and counsel for the government received a 63-page Draft PSR from the United States Probation Office. Therefore, pursuant to Federal Rule of Criminal Procedure 32(f)(1), objections to the Draft PSR are currently due on April 10, 2023 – 14 days from the receipt of the revised Draft PSR. However, due to the complexity and length of the Draft PSR, the fact that a Motion for New Trial (ECF No. 274) is currently outstanding, and other trial obligations, Mr. Laffitte respectfully requests an extension of an additional 30 days to make such objections until May 10, 2023.

First, as noted above, the Draft PSR is 63 pages and contains very detailed and complex information regarding Mr. Laffitte and his case. There are a number of factors that are taken into

account for the loss amounts and possible enhancements in this case. In order to submit appropriate and fulsome objections, undersigned counsel will need additional time.

Further, there is currently a Second Motion for New Trial that is pending before this Court. *See* ECF No 274. The government, after receiving an extension of time to file their response (*see* ECF Nos. 278 and 279), opposed this Motion. *See* ECF No. 280. Undersigned counsel notified the Court of its intention to file a reply and sought leave from this Court to do so. *See* ECF 284. The Court granted this request for leave to file a reply and allowed until April 3, 2023 to file such a reply. *See* ECF No. 285. As the briefing on this Motion has not yet concluded, and Mr. Laffitte has requested a hearing on the merits, it is premature to file objections to the Draft PSR at this time.

We respectfully submit that the Draft PSR is also incomplete because Mr. Laffitte's accountant has not yet provided the full and complete financial statement to undersigned counsel. While the appropriate forms have been provided to Mr. Laffitte's accountant, Mr. Laffitte's financial situation is somewhat complicated at this point and additional time is needed to complete these forms.

Finally, undersigned counsel, has significant trial obligations in the intervening time period between this filing and the current deadline. Undersigned counsel must represent two witnesses at a lengthy trial in the District of Connecticut in front of the Honorable Victor A. Bolden. *See United States v. Patel*, No. 3:21-CR-220 (VAB) (D. Conn.). Undersigned counsel will have to make at least two, and possibly more, trips to Bridgeport, Connecticut to represent pre-existing clients, who are being called as witnesses for the government. The government has not yet provided undersigned counsel the exact dates these witnesses will be needed, but the expectation is they will

be testifying in the month of April, with the first such witness tentatively scheduled to testify the week of April 10, 2023.

For the reasons listed above, and with the consent of the government, Mr. Laffitte respectfully requests an extension of an additional 30 days to submit objections to the Draft PSR. Mr. Laffitte also believes the government should be afforded the same extension.

Respectfully submitted,

s/Mark C. Moore

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